



Our Ref.: 51876.P230

#5

In re application of:

Yeon Soo Kim

Serial Number 09/752,670

Filing Date: 12/28/2000

For: **APPARATUS AND METHOD FOR DETECTING
SIGNALS OF SPACE-TIME CODING BASED ON
TRANSMISSION DIVERSITY**

Art Unit: 2631

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

The Notice references an alleged Figure 6 described in the specification. However, Applicant notes that, in fact, there is no description of a Figure 6 in the specification. The brief description of the drawings at page 12 contains a reference to a Figure 6. However, this is an obvious typographical error which should have referred to Figure 5. In this connection, a Preliminary Amendment is submitted herewith correcting the reference.

In view of the foregoing, it is submitted that the subject application was complete, as filed with no omission which can be or should be submitted. In the event any petition is needed for consideration of this paper, Applicant hereby so petitions and authorizes a charge to deposit account 02-2666 in the name of Blakely, Sokoloff Taylor and Zafman. Further, in the event that any petition fee is charged, request for refund is hereby made since, in fact, there was no omitted Figure 6.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: _____

5/1/2001

12400 Wilshire Boulevard
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Eric S. Hyman, Reg. No. 30,139

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner of Patents and Trademarks, Washington, D.C.
on 6-6-01 by

Lynda Shapiro

Date 6/6/01



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/752,670	12/28/2000	Yeon-Soo Kim	51876P230

08791

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
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CONFIRMATION NO. 9383

FORMALITIES LETTER



OC0000000611358

Date Mailed: 05/24/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain **EXTENSIONS OF TIME** under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent **ABANDONMENT** of the above-identified application.

- **Figure(s) Fig. 6** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel

incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE